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GENERAL ASSEMBLY
Fifty-second session
Items 81, 112 and 114 of the
provisional agenda*
MAINTENANCE OF INTERNATIONAL SECURITY
ELIMINATION OF RACISM AND RACIAL
DISCRIMINATION
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fifty-second year

Letter dated 25 August 1997 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

I am writing in connection with the letter recently addressed to you by the former Foreign Minister of the Republic of Albania, Mr. Arian Starova, distributed as document A/52/254-S/1997/567 upon the request of the Permanent Mission of the Republic of Albania to the United Nations, to express unpleasant surprise and deep disappointment at the array of disinformation it contains.

In the letter, wrongly locating the legal basis of the action of the State authorities in the town of Gostivar on 9 July 1997 and misinterpreting the law of the Republic of Macedonia, the former Foreign Minister makes strange conclusions, with some elements of threatening the very existence of the Republic of Macedonia as well as an unusual "invitation" for involvement of the Security Council. However, what is indeed essential in the letter has been omitted: that the Albanian minority in the Republic of Macedonia, represented by its political parties, has all along participated in the political decision-making process in the Parliament of the Republic of Macedonia, that the largest party of the Albanian minority, the Party for Democratic Prosperity (PDP), has been a coalition partner in all Governments of the Republic of Macedonia ever since its independence and that this party has voted for the adoption of the Law on the Use of Flags of the National Minorities.

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* A/52/150 and Corr.1.

Without indulging in a political assessment of the motives for such allegations by the former Albanian Foreign Minister and with the aim of informing you of what really happened in Gostivar on 9 July 1997 and the days following, I would like to bring the following facts to your attention:

(a) The legal basis for the action taken by the Ministry of the Interior, to remove the flags illegally hoisted by the leaders of the local authorities in front of the town halls was the order of the Constitutional Court of the Republic of Macedonia. The Court abolished the decisions previously taken by the city assemblies of Tetovo and Gostivar which enabled permanent flying, in front of the municipal buildings, of the flags of the Republic of Albania and the Republic of Turkey, as unconstitutional and illegal. The action of the police to restore legal order and to remove the flags of foreign States from in front of the municipal buildings took place only after the local authorities were warned several times by the competent State authorities that the hoisting of the flags of foreign countries was illegal and therefore the flags should be removed. However, they have been refusing to implement the court order for more than two months.

It should be noted that the orders of the Constitutional Court enter into force immediately after their adoption. The time of police action coincides with but has neither direct nor legal connection with the date of the adoption of the Law on the Use of Flags by the Parliament of the Republic of Macedonia.

(b) The events that followed the unobstructed removal of the flags were obvious results of the political manipulation of certain political groups of the Albanian minority. Those political groups managed to organize a large crowd of people, among them also citizens of the Republic of Albania, in an attempt to forcefully hoist again the flag of the Republic of Albania in front of the municipal building in Gostivar. The crowd, some of them using firearms, attacked the police forces guarding the building. The police, in order to disperse the crowd, fired warning shots into the air, but the ensuing clash between the police forces and the crowd unfortunately resulted in the loss of three lives as well as in the injury of dozens of people, from both the police and the demonstrators. The numbers are high indeed, but they are not even close to the numbers stated by Mr. Starova. The police seized a large number of firearms and Molotov cocktails as well as documentation for the creation of so-called "crisis committees", which is subject to investigation. All of this clearly illustrates the fact that we have been faced with a planned and organized effort by the political forces that advocate radical, instant political solutions through provoking escalation of inter-ethnic tensions. The diplomatic and consular missions in the Republic of Macedonia, as well as the representatives of foreign and international organizations, including the United Nations Preventive Deployment Force have been kept informed on a regular basis. On the occasion of these events, special communiqués were issued by the Organization for Security and Cooperation in Europe High Commissioner for National Minorities, Mr. Max van der Stoel, and by the European Union.

My Government hoped that the recently adopted Law on the Use of Flags, with its liberal provisions that go beyond the internationally established standards in this field (it guarantees the right to unrestricted use of the flags of the minorities in the Republic of Macedonia for private purposes, as well as the

right to hoist the flags of the minorities at public institutions during State holidays), would be sufficient reason for the radical political forces in the Republic of Macedonia and their sponsors to reconsider their position and accept the dialogue offered by the Government for finding solutions and overcoming misunderstandings. In that connection, the recent statement by the new Foreign Minister of the Republic of Albania, Mr. Pascal Milo, that Albanian foreign policy in the past has been characterized by an "aggressive nationalism" as well as that in the future the "relations of the Republic Albania with other countries will not be based upon emotions" is an encouraging one.

The Government of the Republic of Macedonia shall persist in its policy of full respect for and observance of the rights of minorities and their cultural and ethnic identity, guaranteed by the Constitution of the Republic of Macedonia. Pursuing a transparent policy, the Government understands the legitimate concern of States for their national minorities in the neighbouring countries, and at the same time expects the same position to be adopted towards the members of the Macedonian national minority in those neighbouring countries. Unfortunately, the content of Mr. Starova's letter exceeds that framework and enters the sphere of interference in the internal affairs of other countries.

My Government has welcomed the stated readiness of the present Government of the Republic of Albania, headed by Prime Minister Fatos Nano, to develop good-neighbourly relations with all its neighbours.

I hope that the facts in the present letter will facilitate the correct understanding of what happened in Gostivar and that you will find unacceptable the requests contained in Mr. Starova's letter.

I would be grateful if you would have the text of the present letter circulated as a document of the General Assembly, under items 81, 112 and 114 of the provisional agenda, and of the Security Council as my Government's reply to the letter of the former Albanian Foreign Minister.

(Signed) Naste ČALOVSKI
Ambassador

UNITED NATIONS **S**

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S/1997/669
28 August 1997
ENGLISH
ORIGINAL: ENGLISH AND RUSSIAN

Portugal, Russian Federation and United States of America: draft resolution

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent resolutions,

Recalling the statement of its President of 23 July 1997 (S/PRST/1997/39) which expressed its readiness to consider the imposition of measures on the Uniao Nacional para a Independencia Total de Angola (UNITA), inter alia, those specifically mentioned in paragraph 26 of resolution 864 (1993),

Emphasizing the urgent need for the Government of Angola and in particular UNITA to complete without further delay the implementation of their obligations under the "Acordos de Paz" (S/22609, annex), the Lusaka Protocol (S/1994/1441, annex) and the relevant Security Council resolutions,

Expressing its grave concern at the serious difficulties in the peace process, which are mainly the result of delays by UNITA in the implementation of its obligations under the Lusaka Protocol,

Expressing its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Having considered the report of the Secretary-General of 13 August 1997 (S/1997/640),

Strongly deploring the failure by UNITA to comply with its obligations under the "Acordos de Paz" (S/22609, annex), the Lusaka Protocol and with relevant Security Council resolutions, in particular resolution 1118 (1997),

A

1. Demands that the Government of Angola and in particular UNITA complete fully and without further delay the remaining aspects of the peace process and refrain from any action which might lead to renewed hostilities;

2. Demands also that UNITA implement immediately its obligations under the Lusaka Protocol, including demilitarization of all its forces, transformation of its radio station Vorgan into a non-partisan broadcasting facility and full cooperation in the process of the normalization of State administration throughout Angola;

3. Demands further that UNITA provide immediately to the Joint Commission, as established under the Lusaka Protocol, accurate and complete information with regard to the strength of all armed personnel under its control, including the security detachment of the Leader of UNITA, the so-called "mining police", armed UNITA personnel returning from outside the national boundaries, and any other armed UNITA personnel, not previously reported to the United Nations, in order for them to be verified, disarmed and demobilized in accordance with the Lusaka Protocol and agreements between the parties in the context of the Joint Commission, and condemns any attempts by UNITA to restore its military capabilities;

B

Determining that the resulting situation in Angola constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

4. Decides that all States shall take the necessary measures:

(a) To prevent the entry into or transit through their territories of all senior officials of UNITA and of adult members of their immediate families, as designated in accordance with paragraph 11 (a) below, except those officials necessary for the full functioning of the Government of Unity and National Reconciliation, the National Assembly, or the Joint Commission, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

(b) To suspend or cancel all travel documents, visas or residence permits issued to senior UNITA officials and adult members of their immediate families, as designated in accordance with paragraph 11 (a) below, with the exceptions referred to in subparagraph (a) above;

(c) To require the immediate and complete closure of all UNITA offices in their territories;

(d) With a view to prohibiting flights of aircraft by or for UNITA, the supply of any aircraft or aircraft components to UNITA and the insurance, engineering and servicing of UNITA aircraft,

(i) to deny permission to any aircraft to take off from, land in, or overfly their territories if it has taken off from or is destined to land at a place in the territory of Angola other than one on a list supplied by the Government of Angola to the Committee created pursuant to resolution 864 (1993), which shall notify Member States;

(ii) to prohibit, by their nationals or from their territories or using their flag vessels or aircraft, the supply of or making available in any form, any aircraft or aircraft components to the territory of Angola other than through named points of entry on a list to be supplied by the Government of Angola to the Committee created pursuant to resolution 864 (1993), which shall notify Member States;

(iii) to prohibit, by their nationals or from their territories, the provision of engineering and maintenance servicing, the certification of airworthiness, the payment of new claims against existing insurance contracts, or the provision or renewal of direct insurance with respect to any aircraft registered in Angola other than those on a list to be provided by the Government of Angola to the Committee created pursuant to resolution 864 (1993), which shall notify Member States, or with respect to any aircraft which entered the territory of Angola other than through a point of entry included in the list referred to in subparagraph (d) (i) above;

5. Further decides that the measures set out in paragraph 4 above shall not apply to cases of medical emergency or to flights of aircraft carrying food, medicine, or supplies for essential humanitarian needs, as approved in advance by the Committee created pursuant to resolution 864 (1993);

6. Urges all States and international and regional organizations to stop travel by their officials and official delegations to the central headquarters of UNITA, except for the purposes of travel to promote the peace process and humanitarian assistance;

7. Decides also that the provisions of paragraph 4 above shall come into force without any further notice at 00.01 EST on 30 September 1997, unless the Security Council decides, on the basis of a report by the Secretary-General, that UNITA has taken concrete and irreversible steps to comply with all the obligations set out in paragraphs 2 and 3 above;

8. Requests the Secretary-General to submit by 20 October 1997, and every ninety days thereafter, a report on the compliance of UNITA with all the obligations set out in paragraphs 2 and 3 above, and expresses its readiness to review the measures set out in paragraph 4 above if the Secretary-General reports at any time that UNITA has fully complied with these obligations;

9. Expresses its readiness to consider the imposition of additional measures, such as trade and financial restrictions, if UNITA does not fully comply with its obligations under the Lusaka Protocol and all relevant Security Council resolutions;

10. Calls upon all States and all international and regional organizations to act strictly in accordance with the provisions of this resolution notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of adoption of this resolution, and also calls upon all States to comply strictly with the measures imposed in paragraphs 19, 20, and 21 of resolution 864 (1993);

11. Requests the Committee created pursuant to resolution 864 (1993):

(a) To draw up guidelines expeditiously for the implementation of paragraph 4 of this resolution, including the designation of officials and of adult members of their immediate families whose entry or transit is to be prevented and whose travel documents, visas or residence permits are to be suspended or cancelled in accordance with paragraphs 4 (a) and 4 (b) above;

(b) To give favourable consideration to, and decide upon, requests for the exceptions set out in paragraph 5 above;

(c) To report to the Council by 15 November 1997 regarding the actions taken by States to implement the measures set out in paragraph 4 above;

12. Requests Member States having information on flights prohibited in paragraph 4 (d) above to provide this information to the Committee created pursuant to resolution 864 (1993) for distribution to Member States;

13. Requests also Member States to provide to the Committee created pursuant to resolution 864 (1993) information on the measures they have adopted to implement the provisions of paragraph 4 above no later than 1 November 1997;

C

14. Demands that the Government of Angola and, in particular, UNITA cooperate fully with the United Nations Observer Mission in Angola (MONUA), stop restricting the verification activities of MONUA, refrain from laying new mines, and ensure the freedom of movement and especially the safety of MONUA and other international personnel;

15. Reiterates its call upon the Government of Angola to notify MONUA of any troop movements, in accordance with the provisions of the Lusaka Protocol;

16. Endorses the recommendation of the Secretary-General in his report of 13 August 1997 to postpone the withdrawal of the United Nations military units from Angola until the end of October 1997, with the understanding that the plan is for the drawdown to be completed in November 1997, taking into account the situation on the ground and progress in completing the remaining relevant aspects of the peace process, and requests the Secretary-General to report thereon no later than 20 October 1997, including on the schedule for the resumed withdrawal of military personnel;

17. Reiterates its belief that the long-awaited meeting within the territory of Angola between the President of Angola and the Leader of UNITA could greatly contribute to the reduction of tensions, to the process of national reconciliation and to the achievement of the goals of the peace process as a whole;

18. Expresses its appreciation to the Secretary-General, his Special Representative, and the personnel of MONUA for assisting the parties in Angola to implement the peace process;

19. Decides to remain actively seized of the matter.

UNITED
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Security Council

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S/1997/670
27 August 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 26 AUGUST 1997 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF LUXEMBOURG TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to bring to your attention the statement by the Presidency of the European Union concerning national dialogue in Burundi issued on 22 August 1997.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Sylvie LUCAS
Chargé d'affaires a.i.
Deputy Permanent Representative of Luxembourg
to the United Nations

97-22626 (E) 270897 270897

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Annex

[Original: English and French]

Statement concerning national dialogue in Burundi issued on 22 August 1997 by the Presidency of the European Union

In the run-up to the opening of multi-party political negotiations at Arusha in the United Republic of Tanzania on 25 August 1997 under the auspices of the former President of the United Republic of Tanzania, Mr. Julius Nyerere, the European Union expresses its full support for this process. It urges all parties in Burundi to embark definitively upon the path of negotiation and to refrain from setting preconditions which might create obstacles thereto. The European Union considers that representatives of all the political institutions and tendencies, without exception, should be able to take part in the negotiations.

The European Union renews its urgent appeal to all the parties to agree that an immediate ceasefire and the renunciation of all forms of violence should be the priority topics at the Arusha negotiations. It warns extremist circles in Burundi against making any attempt to hinder the process of negotiation and national reconciliation and calls upon them to support the peace process, which should be conducted in a climate of trust and calm.

The European Union will continue to follow and support the efforts to achieve peace and the restoration of democracy in Burundi and remains willing to furnish technical assistance to the judicial and constitutional process. It welcomes the important contribution of the European Union Special Envoy, Mr. Ajello of the Special Envoy of the Secretaries-General of the United Nations and the Organization of African Unity, Mr. Sahnoun, and of the other international efforts, in particular that of the community of Sant'Egidio, to the peace process.

The European Union hereby appeals to all the States of the region to support a peaceful settlement of the Burundian crisis through dialogue and negotiation.

UNITED NATIONS **S**

Security Council

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S/1997/671
28 August 1997

ORIGINAL: ENGLISH

LETTER DATED 27 AUGUST 1997 FROM THE PERMANENT REPRESENTATIVE OF RWANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the text of the statement issued by the Ministry of Foreign Affairs and Cooperation of the Republic of Rwanda in response to the recent massacre of 148 innocent Congolese refugees who were in the Mudende refugee camp of the Office of the United Nations High Commissioner for Refugees in the prefecture of Gisenyi, Rwanda.

The Congolese refugee victims were slaughtered by former Rwandan soldiers and the infamous Interahamwe militia who recently came from the eastern part of the Democratic Republic of the Congo.

The statement of the Government of the Republic of Rwanda is an important contribution to the work of the United Nations Security Council in the search for a better understanding of the circumstances surrounding the criminal killing of the Kinyarwanda-speaking Congolese refugees in Gisenyi, Rwanda.

I should be grateful if the letter and the annexed statement could be circulated as a document of the Security Council.

(Signed) Gideon KAYINAMURA
Ambassador
Permanent Representative

97-22708 (E) 280897 280897

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Annex

[Original: French]

Statement of 26 August 1997 by the Ministry of Foreign Affairs and Cooperation on the massacre of Congolese refugees in the prefecture of Gisenyi, by the Interahamwe militia and Rwandan ex-soldiers, in the night of 21/22 August 1997

In the night of 21/22 August 1997, a number of Congolese refugees were massacred in the Mudende refugee camp, in Gisenyi prefecture. A total of 148 people were killed. Ex-soldiers and Interahamwe militiamen recently returned from former Zaire perpetrated this crime.

It should be recalled that the mostly Kinyarwanda-speaking Congolese refugees had been benefiting from the hospitality of the Government and the people of Rwanda, particularly since the beginning of 1996.

At that time, tens of thousands of Congolese nationals had been driven from Rutshuru, Masisi and Walikare, their native regions in northern Kivu, by Rwandan ex-soldiers and militiamen who had perpetrated the 1994 acts of genocide.

Paradoxically, these perpetrators of crimes against humanity, wrongly admitted to former Zaire as refugees, carried out acts of violence and massacres in their place of asylum, in northern Kivu and later in southern Kivu.

The massacre of the 148 Congolese refugees at Mudende in the night of 21/22 August 1997 was a continuation of the acts of genocide exported to former Zaire by Rwandan ex-soldiers and militiamen, particularly from November 1995 to September 1996.

These further acts of genocide were all the more criminal in that those responsible for the previous acts of genocide now sought out their earlier victims in their refugee camp in Rwanda.

The above-mentioned massacre took place as the Congolese refugees were preparing to return to their country. The Congolese and Rwandan authorities were already taking steps to facilitate the refugees' repatriation, in cooperation with the Office of the United Nations High Commissioner for Refugees.

The Government of the Rwandese Republic strongly condemns this ignoble and cowardly act against innocent refugees. It also reiterates its sincere condolences to the Congolese Government and people and to the families of the victims.

The Government of Rwanda joins the Kinshasa authorities in expressing its concern for the refugees, as it did when the Congolese Minister, the Honourable Richard Mbaya, visited the site of the massacre, soon after the perpetration of the crime.

Rwanda wishes, moreover, to assure the refugees that appropriate steps have already been taken to guarantee their safety at the Mudende camp.

Furthermore, the Government of Rwanda takes this opportunity to denounce certain external lobbies, which have recently engaged in a disinformation campaign concerning the violence perpetrated in north-eastern Rwanda by ex-soldiers and militiamen of the old regime, who were responsible for the acts of genocide committed in Rwanda in 1994.

By means of both oral and written statements given wide media coverage recently, these same external circles have sought to foist on the Rwandan Patriotic Army part of the blame for the killings of civilians in Ruhengeri and Gisenyi prefectures.

Rwanda calls to witness the diplomats accredited to Kigali who visited the north-western part of the country on 23 July 1997 to see the situation for themselves. That day they realized that the Rwandan Patriotic Army was confronted by soldiers of the old regime recently returned from former Zaire, and that the Army was determined to protect the civilian population, which was being attacked by these criminals.

On the same occasion, the diplomats were able to ascertain that the Rwandan Patriotic Army was cooperating closely with the local population with a view to re-establishing security in that north-western region bordering on former Zaire.

The Government of Rwanda hereby issues an urgent appeal to the international community and to those who genuinely respect human rights to provide generous assistance, unhesitatingly, to the people of Rwanda in their current efforts to achieve national reconciliation.

These efforts have taken the form of the repatriation of over 3 million refugees in a three-year period. They are now taking the form of the ongoing reintegration of the refugees. They also consist in the eradication of the ideology and mechanisms of exclusion, and in the eradication of impunity, which have cast a blight on Rwandan society for over 30 years.

The Government wishes, in particular, to warn certain external circles that have in the past sided with Rwandan leaders advocating ideologies of exclusion and genocide. It calls on them to cease misleading international public opinion by spreading disinformation on the situation in Rwanda, which cannot possibly be the same as it was prior to July 1994.

Rwanda calls on true defenders of human rights to ensure that the countries of the world, including their own countries, are given accurate information and made aware of the situation, so that they will cooperate with a view to ensuring that the perpetrators of the 1994 acts of genocide, who are still engaging in criminal acts, are arrested and brought to trial.

The Government reaffirms its determination to protect its whole population, as well as the foreign community in Rwanda, including the refugee community from neighbouring countries, whose members will in due course be able to be repatriated in appropriate circumstances.

(Signed) Anastase GASANA
Minister for Foreign Affairs
and Cooperation

UNITED
NATIONS

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S/1997/672
28 August 1997

ORIGINAL: ENGLISH

LETTER DATED 27 AUGUST 1997 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED BY RESOLUTION 661 (1990) CONCERNING THE SITUATION BETWEEN IRAQ AND KUWAIT ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the annual report on the work of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait. The present report, which was adopted by the Committee on 27 August 1997, is being submitted pursuant to the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(Signed) António MONTEIRO
Chairman
Security Council Committee established by
resolution 661 (1990) concerning the
situation between Iraq and Kuwait

97-22722 (E) 290897

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Annex

Report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait

SUMMARY

During the period between August 1996 and the date of the adoption of the present report, the Committee was confronted with a wide range of complex issues arising from the implementation of the mandatory measures imposed by the Security Council, in particular in relation to the oil-for-food operation under Council resolution 986 (1995). While monitoring the implementation of the sanctions regime in all its aspects, the Committee continued to give high priority to the supply of essential humanitarian necessities for the civilian population of Iraq as provided for in Council resolutions 661 (1990), 687 (1991) and 986 (1995).

The Security Council, in its resolution 986 (1995), has set up a system by which Iraq is allowed to sell oil to finance its imports of humanitarian supplies. With the relevant arrangements becoming effective towards the end of 1996, the scope of the mandate of the Committee was greatly expanded, as it sought to effectively discharge its responsibilities under that resolution. Certain difficulties were encountered during the first phase of this operation and the Committee and its secretariat made efforts to overcome them.

The Committee ensured that all other aspects of its work, particularly the humanitarian projects sponsored by various United Nations agencies, humanitarian flights, issues relating to Iraqi frozen assets and financial claims against Iraq, and repair and salvaging operations of Iraqi vessels, were discharged and conducted in an effective manner. In addition to applications under resolution 986 (1995), the Committee processed in the past year more than 11,000 other communications, most of which concerned the supply of humanitarian goods to Iraq pursuant to paragraph 20 of resolution 687 (1991). The Committee acknowledged receipt of 96 foodstuff notifications and took note of 178 voluntary notifications of sending medicines to Iraq, which together had a combined worth of US$ 1,225 billion. The Committee also approved under its no-objection procedure 5,203 requests to send other categories of commodities to Iraq, with an estimated value of $8.5 billion.

As called for in relevant Security Council resolutions and with a view to further enhancing transparency in its work, during the past year the Committee submitted six reports to the Security Council and issued a number of press releases, and its Chairman continued to conduct briefings for the press and interested Member States on the work of the Committee.

The Committee is grateful for the support and cooperation it has received from all concerned and remains fully committed to implementing the mandate entrusted to it by the Security Council.

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I. INTRODUCTION

1. On 26 August 1996, the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait submitted to the Council a report on its activities during the past few years (S/1996/700), pursuant to a note by the President of the Security Council of 29 March 1995 (S/1995/234). The present report is the second of its kind which aims at presenting a factual summary of all aspects of the Committee's work during the past year (August 1996-July 1997).

2. With the implementation of resolution 986 (1995) towards the end of 1996, the scope of the mandate of the Committee was greatly expanded and its primary attention was accordingly shifted to discharging its responsibilities under that resolution. At the same time, the Committee ensured that all other aspects of its mandate, including the work related to sending humanitarian supplies to Iraq pursuant to paragraph 20 of resolution 687 (1991), were discharged and conducted in an effective manner.

3. Pursuant to paragraph 21 of resolution 687 (1991), the Security Council has so far conducted 37 reviews of the sanctions regime established in paragraph 20 of that resolution. Eighteen of these reviews were at the same time reviews of the sanctions regime established in paragraphs 22 to 25 of resolution 687 (1991), as referred to in paragraph 28 of that resolution, and in paragraph 6 of resolution 700 (1991). No modification of the sanctions regime resulted from these reviews. In accordance with paragraph 5 of Council resolution 1115 (1997) of 21 June 1997, the reviews were temporarily suspended and would resume in accordance with resolution 687 (1991) after the next consolidated progress report of the Special Commission, due on 11 October 1997.

4. Pursuant to paragraph 6 (f) of the guidelines to facilitate full international implementation of paragraphs 24, 25 and 27 of Security Council resolution 687 (1991) (resolution 700 (1991)), the Committee submitted four reports to the Council during the reporting period (S/1996/676, S/1996/950, S/1997/141 and S/1997/374).

5. Pursuant to paragraph 12 of resolution 986 (1995), the Committee submitted two reports to the Council on the implementation of the arrangements set out in paragraphs 1, 2, 6 and 8 to 10 of that resolution during the initial 180-day period, the first report on 11 March 1997 (S/1996/213, annex) and the second on 30 May 1997 (S/1997/417, annex).

6. The Committee was chaired in 1996 by Mr. Tono Eitel (Germany), with the delegations of Botswana and Poland as Vice-Chairmen. In 1997, Mr. António Monteiro (Portugal) serves as Chairman of the Committee, with the delegations of Guinea-Bissau and Poland as Vice-Chairmen.

II. WORK OF THE COMMITTEE

7. The main activities of the Committee during the reporting period (August 1996-July 1997) related to a wide range of complex issues arising from

the implementation of the mandatory measures imposed by the Security Council. Between 26 August 1996 and the end of July 1997, the Committee met in formal sessions 17 times, bringing the total number of meetings to 159 since its inception in 1990. On many occasions, the Committee held informal meetings at the expert level during the reporting period to discuss various issues concerning its activities, in particular, issues related to the implementation of resolution 986 (1995). In accordance with decisions taken at the Committee's 132nd and 134th meetings, the Chairman continued to give oral briefings after each meeting of the Committee to interested delegations and the press on various aspects of the work of the Committee.

A. Implementation of Security Council resolution 986 (1995)

8. On 14 April 1995, the Security Council adopted resolution 986 (1995) which, as a temporary measure, would allow Iraq to sell oil to finance its imports of humanitarian necessities. On 20 May 1996, a memorandum of understanding was concluded between the Secretariat of the United Nations and the Government of Iraq on the implementation of resolution 986 (1995) (S/1996/356). Pursuant to paragraph 12 of the resolution, the Committee developed and adopted, at its 142nd meeting on 8 August 1996, in close coordination with the Secretary-General, expedited procedures as necessary to implement the arrangements set out in paragraphs 1, 2, 6 and 8 to 10 of that resolution (S/1996/636) (hereinafter referred to as "the Committee procedures").

9. On 25 November 1996, the Secretary-General submitted to the Security Council an interim report on the implementation of resolution 986 (1995) (S/1996/978), in which he reported that he had appointed, following their selection by the Committee on 9 August 1996, four independent experts in international oil trade as "overseers" at United Nations Headquarters to assist the Committee in the performance of its duties concerning oil transactions. He also reported that contractual arrangements had been made with Saybolt Nederland BV to provide 14 independent oil inspection agents in order to ensure the monitoring of oil installations at the Ceyhan terminal, at the metering station on the Kirkuk-Yumurtalik pipeline at the Iraqi-Turkish border, and at the Mina al-Bakr terminal. He also pointed out in the report that contractual arrangements had been made with Lloyd's Register Inspection Limited for the provision of independent inspection agents, who would confirm the arrival in Iraq of humanitarian supplies under resolution 986 (1995) at the port of Umm Qasr, at the Iraqi-Turkish border (Zakho) and at the Iraqi-Jordanian border (Trebil).

Oil export from Iraq

10. During the initial 180 days (10 December 1996-7 June 1997) of the implementation of resolution 986 (1995), the export of petroleum from Iraq has proceeded smoothly with excellent cooperation among the overseers, national oil purchasers, the State Oil Marketing Organization of Iraq and the United Nations independent inspection agents (Saybolt). During that time, the overseers recommended to the Committee a set of updated pricing mechanisms for loadings, submitted by the State Oil Marketing Organization of Iraq each month; each time they were approved by the Committee. One hundred fourteen loadings, totalling

119.5 million barrels, with a value of US$ 2.15 billion, were completed in the initial 180-day period. A representative of Saybolt briefed the Committee at its 156th meeting, on 20 May 1997, on the oil-monitoring activities at the Mina al-Bakr oil terminal and the Zakho metering station, and at the Ceyhan oil terminal in Turkey.

11. At its 144th meeting, on 14 October 1996, the Committee considered a request from Iraq under resolution 986 (1995) (a) to cover the extra cost for the production and transportation of petroleum and petroleum products and (b) for approval to earmark certain funds for spare parts and equipment for the Iraq-Turkey pipeline. The Committee decided (a) to informally seek the advice of the Legal Counsel on whether the first part of the request falls under the mandate of the Committee or the Security Council and (b) to defer the second part of the request to the next meeting.

12. At the 145th meeting, based on the views of the Legal Counsel on the matter that any export of an additional quantity of petroleum and petroleum products by Iraq, over and above the total amount of $1 billion for every 90 days, would require the approval of the Security Council, the Committee decided to inform Iraq that it was not in a position to give a positive response to the request at this stage. However, it was suggested that the Committee should inform Iraq that it had approved a request by Turkey to ship spare parts and equipment to Iraq for the repair of the Kirkuk-Yumurtalik pipeline, which were needed for the initial stage of the implementation of resolution 986 (1995) (see para. 24).

Humanitarian supplies to Iraq under resolution 986 (1995)

13. From the outset of the operation under resolution 986 (1995), the Committee has attached high priority to the work of processing applications for supplying humanitarian goods to Iraq. Concerned at the slow pace of contract approval, which has been caused by a number of factors, the Committee has worked to expedite the processing of humanitarian applications. During the initial 180-day period of the oil-for-food operation, which expired early June 1997, the Committee encountered and, subsequently resolved, a number of practical difficulties in the processing of contracts for humanitarian supplies to Iraq. Lessons thus learned and experience gained in this regard will make it possible for a smoother and more effective operation in the second phase of the implementation of resolution 986 (1995).

14. In preparation for the implementation of resolution 986 (1995), the Committee introduced a new application form in August 1996 for notification or request to ship goods to Iraq, which was circulated to all States, together with guidelines and a sample on how to complete those applications. In view of the fact that many application forms were submitted incomplete, which in turn negatively affected the speed of their processing since the coming into force of the oil-for-food arrangements in December 1996, the Committee secretariat organized on 21 March 1997, at the request of the Committee, an orientation meeting for all Member States and international organizations in order to facilitate the submission of complete applications to send humanitarian supplies to Iraq under resolution 986 (1995). In addition, on 15 May 1997, a second note verbale was sent by the secretariat to all States with revised guidelines and a new sample of a properly completed application form.

15. With a view to facilitating the implementation of the Committee procedures in the light of certain practical necessities, the Committee adopted a series of points of understanding in order to facilitate the expeditious processing of applications for humanitarian supplies to Iraq under resolution 986 (1995).

16. The first set of points of understanding were adopted on 5 March 1997 with a view to freeing funds allocated to applications that were placed on hold or blocked so that those funds may be used for further applications which follow in sequence. The second set of points of understanding were adopted on 1 April 1997, allowing the Committee to process applications based on anticipated revenues as determined by the issuing of an irrevocable letter of credit for oil shipments and confirmation of lifting of oil cargoes. This was on the understanding that the issuing of letters of credit for contracts for humanitarian goods would continue to be based on the availability of funds in the Iraq account.

17. At its 155th meeting, on 14 May 1997, the Committee adopted the third set of points of understanding: the secretariat will circulate for the consideration of the Committee all contracts that meet the requirements of the Committee procedures; incomplete applications will not be circulated until clarification is obtained by the secretariat from the applicant State and the Permanent Mission of Iraq; the secretariat will process all incoming applications, if possible, within two business days; and if a contract is put on hold, the delegations concerned should indicate to the secretariat the specific reasons so that the matter can be resolved as quickly as possible. The Committee was also of the view that the secretariat should obtain additional resources to support processing as necessary. The new measures have contributed to the more expeditious processing of applications.

18. Regarding Iraq's request seeking the Committee's approval to process, on a priority basis, certain applications for goods submitted under resolution 986 (1995), the Committee agreed, at its 150th meeting, on 21 February 1997, that the secretariat should seek the views of the Department of Humanitarian Affairs on the matter before the Committee could approve the request. At its 152nd meeting, on 24 March 1997, the Committee agreed in principle that the Department and the World Health Organization would assist the Committee in identifying a priority list of foodstuffs and medicines under resolution 986 (1995). Such a priority list was approved by the Committee on 11 April 1997. Applications thus identified have been duly dealt with by the Committee on a priority basis.

19. At the end of the first 180 days of implementation of resolution 986 (1995), the total value of oil exported from Iraq has reached the target of US$ 2 billion and the processing of humanitarian supplies to Iraq has been progressing steadily. At the time of the adoption of the present report, the secretariat has received a total of 840 applications under resolution 986 (1995), 40 of which have been subsequently cancelled and 776 circulated to Committee members for action. Of the 776 circulated, 662 have been approved, totalling approximately $1,139 million, 88 placed on hold, 20 blocked and the remaining 6 still pending since the time limit within which the Committee is expected to decide has not elapsed.

Figure 1. Number of applications according to status, as at 27 August 1997

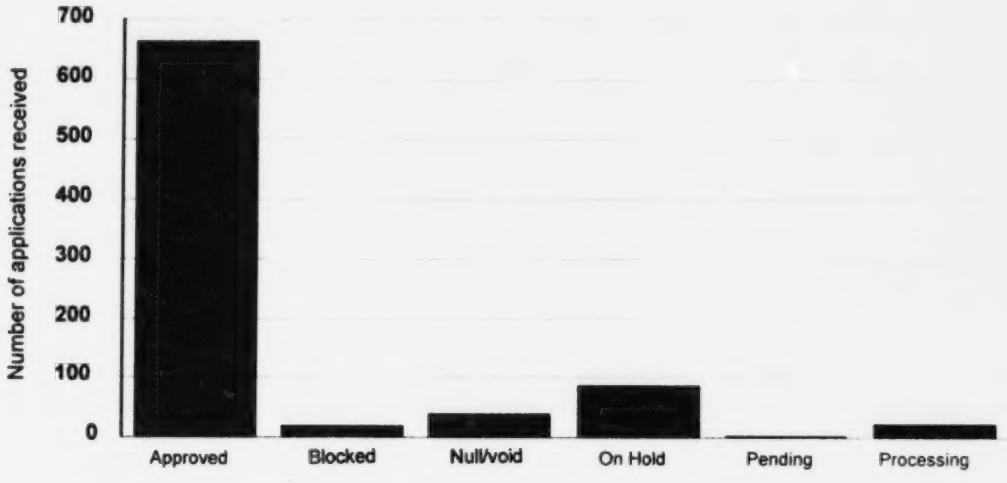


Figure 2. Number of approved applications by category, as at 27 August 1997

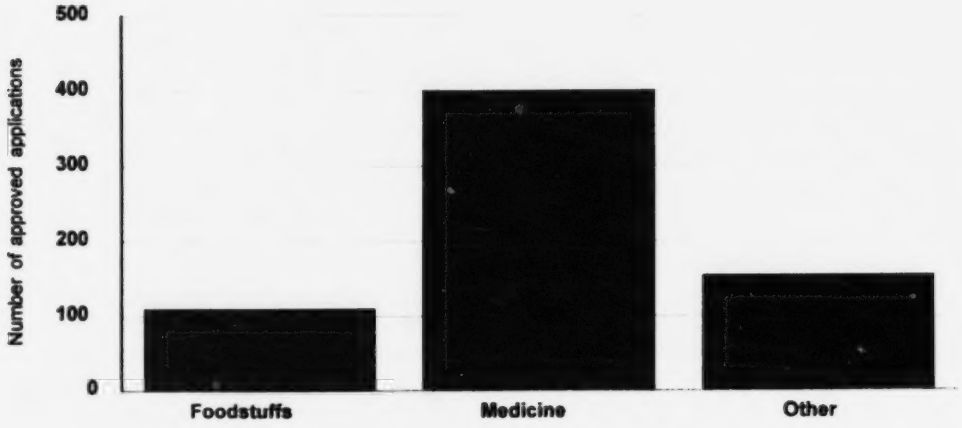
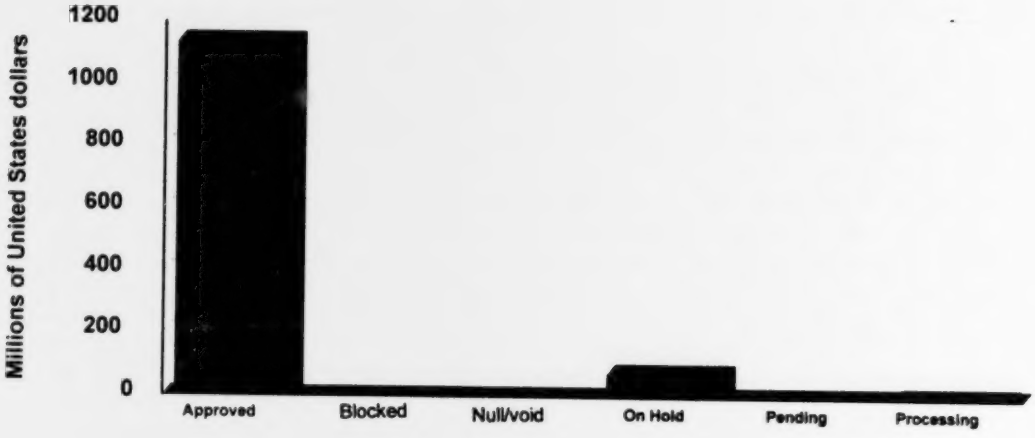


Figure 3. Value of applications by status, as at 27 August 1997



20. The arrival of humanitarian goods has been monitored by the United Nations independent inspection agents (Lloyd's Register) at the Iraqi port of Umm Qasr, Trebil at the Iraqi-Jordanian border and Zakho at the Iraqi-Turkish border. A representative of Lloyd's Register conducted a briefing at the Committee's 156th meeting, on 20 May 1997, to provide an overview of the activities of the independent inspection agents related to the authentication of the arrival in Iraq of humanitarian supplies under resolution 986 (1995). To date, 93 of such approved consignments of humanitarian supplies have been confirmed as having arrived in Iraq in total and another 91 consignments have arrived in partial shipments.

Renewal of oil-for-food arrangements by resolution 1111 (1997)

21. On 4 June 1997, the Security Council adopted resolution 1111 (1997) by which the Council decided to extend the relevant provisions of resolution 986 (1995) for another period of 180 days beginning at 00.01 hours, Eastern Daylight Time, on 8 June 1997.

22. Following the adoption of that resolution, the Government of Iraq submitted a request on 14 June for the addition of a new entry point at the Iraqi-Syrian border for the import of goods under resolution 986 (1995). Pursuant to paragraph 26 of the memorandum of understanding and upon the recommendation of a United Nations technical mission to Iraq, the Secretary-General approved on 31 July 1997 the designation of Al-Walid at the Iraqi-Syrian border (facing Al-Tenf, Syrian Arab Republic) as a new entry point for the supply of humanitarian goods to Iraq under resolution 986 (1995).

Matters related to Kirkuk-Yumurtalik pipeline

23. As mentioned in the Committee's 90-day report (S/1996/213), pursuant to paragraph 2 of resolution 986 (1995), Turkey had requested, in a letter dated 14 January 1997, the Committee's approval of the transfer of US$ 46,286,616.44, representing the oil transportation fee due to Turkey during the first 90 days of Iraq's oil exportation under that resolution, as agreed upon between the two countries. As suggested by the Committee, Turkey submitted, on 27 March 1997, an amendment to the contract between the State Oil Marketing Organization and the Turkish Petroleum Refineries Corporation (Tupras). In view of the above, on 16 April 1997 the Committee approved the transfer of the pipeline fees as requested, on the understanding that the actual transfer would take place only after proceeds from the sales of oil to cover the above fees had been deposited in the Iraq account, and the deductions for the Compensation Fund would have been made. To date, two such transfers of the pipeline fee for the first and second 90-day periods have been effected, with Turkey as the beneficiary.

24. The Committee received from Turkey, pursuant to paragraph 9 of resolution 986 (1995), two requests to supply parts and equipment for the repair and maintenance of the Kirkuk-Yumurtalik pipeline system in Iraq. The first was related to immediate repair work to the pipeline and the second to the medium- and long-term safety of the pipeline. Following the Committee's approval, in principle, of the first request, Turkey submitted on 2 April 1997 a detailed export contract on the matter, as suggested by the Committee. The contract was approved by the Committee on 15 July 1997. The second request was, however, deferred to allow the Committee more time to assess the situation of the actual needs for further supplies after the initial repair work has been completed.

B. Humanitarian exemptions under resolution 661 (1990)

25. During the one-year period from 1 August 1996 to 31 July 1997, the Committee received and processed 11,328 official communications, 11,135 of which were related to humanitarian supplies to Iraq as provided for in paragraph 20 of resolution 687 (1991). The Committee acknowledged receipt of all 96 foodstuff notifications and took note of 178 voluntary notifications for medical supplies to Iraq, which had a combined value of $1,225 billion. Under its no-objection procedure, the Committee processed all remaining 10,861 applications concerning the supply of other categories of goods to Iraq. Some 5,203 of these requests, with an estimated value of $8.5 billion, were approved, 424 were placed on hold for further information and/or clarification and 5,234 applications were blocked.

Figure 4. Number of applications processed according to category

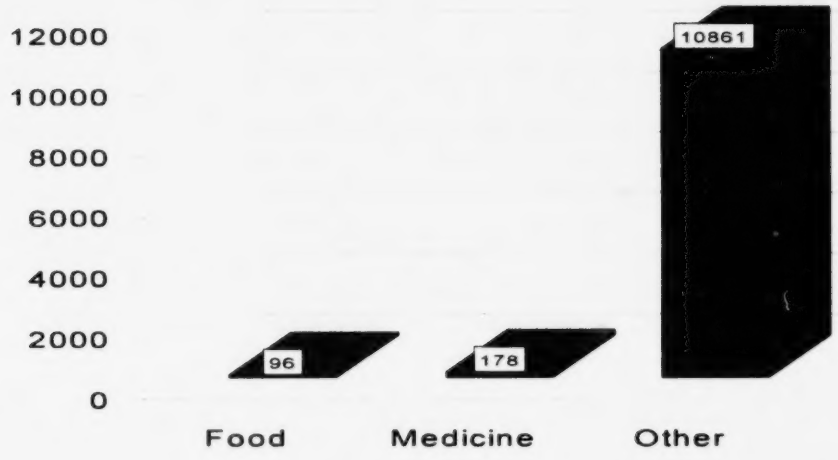
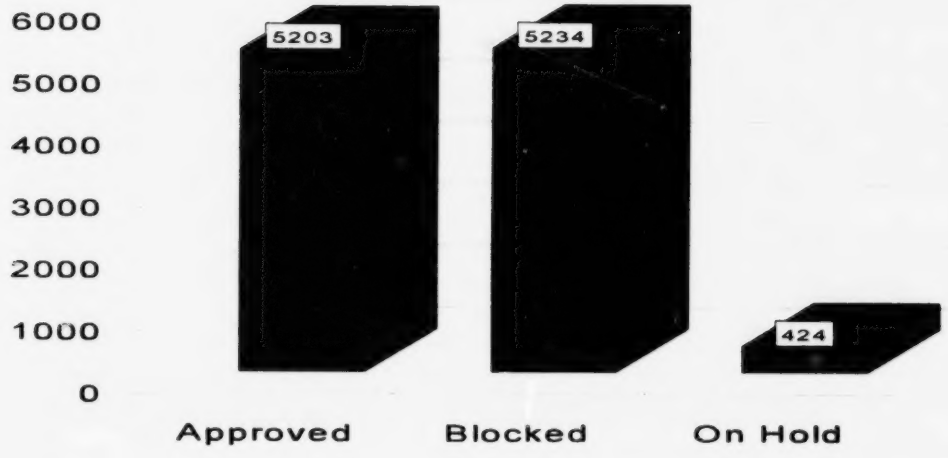


Figure 5. Status of applications processed under the no-objection procedure



26. At its 144th meeting, on 14 October 1996, the Committee considered a question raised by Switzerland as to whether any repair work to electric power stations in Iraq could be authorized and incorporated under the oil-for-food formula. The Committee decided to send a letter to Switzerland, explaining the legal background of the issue and suggesting that the Swiss authorities, in consultation with Iraq, might submit specific requests in this regard for the consideration of the Committee.

Requests from humanitarian agencies

27. On 14 October 1996, the Committee approved the United Nations Development Programme (UNDP) project entitled "Rehabilitation of primary health care services in the Governorates of Baghdad and Qadissia" on condition that UNDP would report to the Committee every six months on the progress of the project. However, the Committee could not accede to two other UNDP requests, one concerning a project entitled "Provision of consultancies and training to essential humanitarian sectors", and the other a project entitled "Rehabilitation of seed multiplication system through the strengthening of seed quality control in Iraq".

28. At the 148th meeting, on 23 January 1997, the Committee was unable to approve a request from the World Food Programme (WFP) for a general sanctions waiver for all the equipment that has to be purchased by WFP for its operation under resolution 986 (1995). At the same time, it was agreed to convey to WFP that the Committee was prepared to consider its application favourably on a case-by-case basis.

29. Regarding a letter from WHO drawing the Committee's attention to the malaria control situation in Iraq, the Committee, at its 150th meeting, on 21 February 1997, agreed to take note of the general information provided by WHO in its communication and to give priority treatment to any specific requests relating to malaria control once they were submitted to the Committee.

Petroleum imports from Iraq

30. At its 142nd meeting, on 8 August 1996, the Committee considered a request from Turkey to resume the import of petroleum and petroleum products from Iraq for domestic purposes given the serious economic difficulties it has suffered as a result of the sanctions against Iraq. The matter was deferred and revisited a number of times on the grounds that the full effect of the implementation of resolution 986 (1995) needed to be evaluated in due course. At its 157th meeting, on 11 June 1997, the Committee decided that the matter would be considered in a more substantial way with the renewal of resolution 986 (1995). The matter is still pending before the Committee.

31. At its 146th meeting, on 18 December 1996, the Committee also requested its Chairman to contact the Permanent Representative of Jordan to the United Nations with a view to ascertaining the situation of Jordan's import of Iraqi petroleum during the past few years. At the 150th meeting, on 21 February 1997, the Chairman reported to the Committee that he had been informed by the Permanent Representative that Jordan would soon resume reporting to the Committee on its oil imports from Iraq. Subsequently, Jordan submitted a report on its petroleum

imports from Iraq covering the past three years, which was taken note of by the Committee at its 151st meeting, on 17 March 1997.

Humanitarian flights

32. The Committee could not approve a request dated 24 September 1996 from Jordan for the Committee's authorization of one or more regular weekly flights between Amman and Baghdad by Royal Jordanian Airlines in order to carry United Nations personnel and for humanitarian reasons, that is, to transport the sick and elderly to and from Baghdad, to provide means of transportation for pilgrims in their pilgrimage to Moslem shrines in Iraq, and to transport medical, pharmaceutical and food supplies from Jordan. However, the Committee expressed its readiness to consider specific requests for humanitarian flights to Iraq on a case-by-case basis. The same request was reintroduced by Jordan in March 1997, to which the Committee responded by reiterating its previous position.

33. At its 150th meeting, on 21 February 1997, the Committee considered a request from WHO for an overall arrangement for medical evacuation flights for Iraqi nationals, based on the formula agreed upon by the Libyan sanctions committee with regard to medical evacuation flights for Libyan nationals. The Committee has received further clarifications from WHO. The matter is still under the Committee's consideration.

34. At the request of the Security Council, the Committee met on 10 April 1997 to discuss whether the Iraqi flight of 9 April 1997 carrying pilgrims from Baghdad to Jeddah, Saudi Arabia, was in violation of Security Council resolutions 661 (1990) and 670 (1990). The Legal Counsel of the United Nations was also invited to present comments on the issue from a legal point of view. However, since Committee members were unable to reach consensus in their understanding of the incident, the Chairman was authorized to convey to the Security Council the views expressed by members at the meeting.

Aerial pesticide campaign

35. In February 1997, the Committee received a request from the Food and Agriculture Organization of the United Nations (FAO) for authorization for an aerial pest control operation in the agricultural areas of the no-fly zones in Iraq similar to that approved by the Committee in 1996. After consideration of the matter at two meetings, the Committee approved the request provided that the operation would be carried out in accordance with established procedures, in particular: (a) the aircraft undertaking such operations should be piloted by non-Iraqi pilots under the supervision of FAO; (b) FAO should provide the Committee with 72 hours' advance notice prior to the time of commencement of such operations; (c) all necessary safety measures should be taken to ensure that the operations proceed smoothly; and (d) equipment brought into Iraq for the operations should remain under the control of FAO during the operations and be removed from Iraq once the operation is completed. The Committee also advised FAO that specific applications should be submitted to the Committee if the supply of specific inputs was to be funded through Security Council resolution 986 (1995). In May 1997, the Committee took note of additional

information submitted by FAO on the above-mentioned arrangements of the operation.

C. Iraqi frozen assets and financial claims against Iraq

36. With the adoption of resolution 778 (1992), no further Iraqi frozen assets had been released by the Committee for purposes set forth in paragraph 20 of resolution 687 (1991) until the Committee approved in July 1997 a UNDP request relating to the use of Iraq's frozen assets held by the Bank of International Settlement. In April 1997, UNDP submitted a request to the Committee for authorization to use some of Iraq's frozen assets held by the Bank for a project to rehabilitate water supply facilities in the Basrah Governorate. In the light of the needs of the situation, the Committee, at its 154th meeting, on 24 April 1997, was favourably disposed to the project and approved it in principle provided that UNDP would supply further information on the procedures to be followed in transferring the funds to UNDP, in disbursing them for procurement of items for the project and in accounting for expenditures. The Committee also requested UNDP to contact the United Nations Security Council Committee and the Committee secretariat in order to abide by the provisions of resolution 1051 (1996) concerning the export to Iraq of any chemical agent necessary for water purification that might be included in the relevant list attached to resolution 1051 (1996). Upon receipt of a satisfactory response from UNDP in July 1997, the Committee, at its 159th meeting, on 17 July 1997, gave the final green light to the project.

37. As in previous years, on 3 February 1997, Iraq submitted a request for the release of US$ 50 million from its frozen assets in Saudi Arabia, Bahrain and the United Arab Emirates for pilgrimage purposes. The Committee considered the matter at its 150th meeting, on 21 February 1997, and decided that a letter should be sent to Iraq along the format established in previous years, linking approval of the request to the readiness of the three Governments to release frozen assets. The Committee also transmitted the Iraqi letter and the Committee's response to it to the three Governments mentioned above.

38. With the imposition of sanctions against Iraq in 1990, the Committee received a number of communications from Member States over the past year, either seeking the Committee's views on what is to be done with regard to monetary claims against Iraq or requesting the Committee's authorization for compensation or settlement, through the importation of goods originating from Iraq, of outstanding commercial debts incurred by Iraq before the Gulf war in 1991.

39. After careful consideration of such communications, the Committee announced that it was unable to accede to the suggested way of settlement on grounds that such transactions were clearly inconsistent with provisions in relevant Security Council resolutions, in particular, paragraph 3 (a) of resolution 661 (1990). In a press release issued on 19 June 1997, the Committee stated that while the sanctions regime did not exonerate Iraq from its debts and obligations incurred prior to the Gulf crisis, issues relating to Iraq's debt should be settled in a way consistent with relevant Council resolutions; claims for compensation might

be referred to the United Nations Compensation Commission in accordance with paragraphs 16 to 19 of Council resolution 687 (1991).

D. Matters relating to Iraqi vessels

40. At its 145th meeting, on 3 December 1996, the Committee took note of a communication from Turkey regarding the proposed salvage of two Iraqi oil tankers detained in Noudahibou port in Mauritania and two Iraqi ships detained in Misurata port in the Libyan Arab Jamahiriya, which were considered as constituting an environmental hazard. As promised in that communication, Turkey submitted a request for authorization to carry out the salvaging operation of the above-mentioned ships, with a copy of the survey report of the International Maritime Organization (IMO), the consideration of which was deferred by the Committee at its 155th meeting on 14 May 1997. At its 157th meeting, on 11 June 1997, the Committee decided to defer the matter again since more time was needed to consult with Turkey on certain technical aspects of the operation. The Committee is still considering this item.

41. In connection with a request from the United Arab Emirates for approval of a project to salvage sunken ships and war debris from Gulf waters, the Committee, at its 146th meeting, on 18 December 1996, noted that it had previously approved several requests concerning the same salvage project, subject to the Committee's being informed of agreement among the parties concerned, supervision by IMO and appropriate financing arrangements consistent with the sanctions regime. The Committee decided to inform the United Arab Emirates that it was prepared to consider the matter favourably if the United Arab Emirates furnished the above-mentioned information.

42. At the same meeting, the Chairman informed the Committee that the President of the Security Council had transmitted to him a letter from Kuwait drawing the Council's attention to the dangerous state of shipping in the Gulf owing to sunken ships and war debris. The Committee decided that the Chairman would orally inform the President of the Council on the Committee's response, indicating that the Committee viewed the matter with great concern, that it had already approved several requests for salvage projects and stood ready to give sympathetic consideration to any new requests, that the scope of its response was limited by the Committee's terms of reference, and that it suggested that IMO be requested to look into the matter.

E. Reported violations

43. By a communication dated 17 June 1996, based on information provided by the multinational interception force, the United States of America drew the Committee's attention to the alleged Iranian complicity in the smuggling of Iraqi petroleum products through Iranian territorial waters in violation of the sanctions regime established by resolution 661 (1990). At the 139th meeting of the Committee, on 9 July 1996, members supported the suggestion of the Chairman that the Committee should seek from the United States more factual information, including the final destination and the nationality of the vessels involved, before contacting the Permanent Representative of the Islamic Republic of Iran.

44. At the 143rd meeting, on 28 August 1996, the United States delegation briefed the Committee on the matter. It was decided that the Chairman should approach the Permanent Representative of the Islamic Republic of Iran, while members would study the additional information presented by the United States. Subsequently, at the 145th meeting, on 3 December 1996, the Chairman distributed a position paper from the Iranian Permanent Representative, which stated, among other things, that the Islamic Republic of Iran was committed to the implementation of the relevant Security Council resolutions on Iraq, that some vessels carrying illegal goods and oil to and from Iraq had been using the Iranian flag and territorial waters without authorization; that some vessels with forged documents and manifests had been detained by Iranian authorities and that the results of the investigations would be conveyed to the Committee once they were available.

45. In responding to the Iranian communication, the Committee declared it would welcome any information concerning action taken by the Iranian authorities with regard to ships detained for illegal activities of sanctions violations. The Committee also drew the attention of the Islamic Republic of Iran to the course of action suggested by the Committee as a general guidance in dealing with such violations. No further development has since taken place on the issue.

46. At the 150th meeting, on 21 February 1997, the Chairman reported to the Committee that he had met with the Permanent Representative of the Islamic Republic of Iran and conveyed the Committee's concern regarding the alleged violations taking place in Iranian waters. The Permanent Representative had assured the Chairman that his Government strictly abided by the relevant Security Council resolutions.

47. The Committee, at its 145th meeting, on 3 December 1996, took note of a communication from Jordan that the Jordanian company ALBA had been searched and investigated on the basis of information received by the United Nations that the company was one of a number of companies that dealt with missile components, and that the investigation revealed no connection between the company and Iraqi missiles or weapons of mass destruction. This communication was duly recorded in the Committee's report (S/1996/950) concerning arms-related sanctions.

III. MONITORING AND ENFORCEMENT

48. To enable the Committee to obtain a better understanding of the scope of activities conducted by the multinational interception force, Vice-Admiral Thomas B. Fargo, the force's Coordinator, addressed the Committee on 3 February 1997 and provided detailed information on its activities. This was the second presentation to the Committee by the force. Earlier in February 1996, the Committee had been briefed by Vice-Admiral John Scott Redd on the force's operations in the Persian Gulf under national command pursuant to Security Council resolution 665 (1990).

49. In his remarks, Vice-Admiral Fargo noted that the force's operations were designed to prevent prohibited items from entering and leaving Iraq. He emphasized that the force offered no hindrance to the delivery of humanitarian supplies. He further stressed the cooperation extended to this joint operation

by neighbouring countries of the Gulf Cooperation Council. He provided information on the operations of the force's activities, which he described as being very effective. Vessels from 15 countries, serving on rotation, had participated in the operation. By the time of the briefing, the force had conducted more than 23,000 queries, resulting in more than 10,000 boardings and more than 600 diversions of ships. In 1996 alone, 440 boardings were conducted, which resulted in 61 diversions.

50. With regard to the implementation of Security Council resolution 986 (1995), the Vice-Admiral stated that, while the monitoring of the outflow of oil has been running smoothly, the challenge for the force would be the inflow of approved shipments of humanitarian goods to the port of Umm Qasr. Following necessary consultations, a modus operandi has been agreed upon between the secretariat of the Committee and the multinational interception force for necessary coordination and liaison in the context of the implementation of that resolution.

IV. OBSERVATIONS AND RECOMMENDATIONS

51. In discharging its mandate under the relevant Security Council resolutions, the Committee relies on the support and cooperation of Member States and international organizations. In connection with the implementation of the various tasks entrusted to it by resolution 986 (1995), the Committee and its secretariat have established a good working relationship with Iraqi authorities. The Committee attaches particular importance to close cooperation and interaction with Member States and would welcome a more frequent exchange of information with them on all aspects of the sanctions regime established by resolution 661 (1990).

52. The new distribution plan recently approved by the Secretary-General will help the Committee to address the updated humanitarian needs of the Iraqi people. In this context, the Committee welcomes the computerization of the categorized list of goods annexed to the distribution plan, which should facilitate the submission and processing of humanitarian contracts under resolution 986 (1995).

UNITED
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General Assembly
Security Council

GENERAL ASSEMBLY
Fifty-first session
Agenda item 58
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 27 August 1997 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to new violations of the airspace of the Republic of Cyprus and of the flight information region of Nicosia by military aircraft of the Turkish Air Force, recorded on 22 August 1997. On that day, a C-135 Russian military [illegible] at 0940 hours entered the Nicosia flight information region from a north-easterly direction, then violated the national airspace of the Republic of Cyprus, flying over Agrotis Andreas Cape, and exited at 1048 hours in a south-easterly direction.

As stated in my previous letters, such unauthorized intrusions into the Nicosia flight information region and the airspace of the Republic are in violation of international air traffic rules and seriously endanger civil aviation flights over Cyprus. At the same time, they are in contravention of the provisions of the Security Council resolutions on Cyprus which state that such overflights increase political tension on the island and undermine efforts towards achieving a final settlement.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest against the new violations of the sovereignty and territorial integrity of the Republic of Cyprus, which are in complete disregard of international law, the Charter of the United Nations and the relevant decisions of the Organization on the question of Cyprus.

97-22802 (E) 280897

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 58, and of the Security Council.

(Signed) Nicos AGATHOCLEOUS
Ambassador
Permanent Representative of
the Republic of Cyprus to the
United Nations

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/674
29 August 1997

ORIGINAL: ENGLISH

LETTER DATED 28 AUGUST 1997 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government, I have the honour to forward the attached letter from Mr. Ali Osman Mohamed Taha, Minister of External Relations of the Republic of the Sudan.

In his letter, the Minister responds to the Eritrean Foreign Minister's letter contained in document S/1997/517, which claims the involvement of the Sudan in a so-called assassination plot on the life of the President of the Eritrean regime.

Once again, the Government of the Sudan condemns in the strongest possible terms the attempts of the Eritrean regime to distort its image. It would like to draw the attention of the international community and particularly the Security Council to the extent reached by that regime in its enmity to the Sudan.

The letter of the Foreign Minister of the Eritrean regime holds no credibility whatsoever. It is quite obvious from the letter itself that the story fabricated by the Eritrean regime, in collaboration with the Sudanese terrorist elements, the so-called National Democratic Alliance (NDA), harboured and sheltered by Eritrea, is a tasteless drama, directed by naive unprofessional persons, who lack the basic principles of logic.

The letter of the Sudanese Minister of External Relations reflects the contradictions and misinformation presented by the Eritrean regime in document S/1997/517 and its annex. Attached to the letter are statements circulated by the Sudan during the Summit meetings of the Organization of African Unity held at Yaoundi in 1996 and at Harare in 1997. These statements were distributed in response to the defamation campaign conducted by the Eritrean regime in that regional forum.

I would also like to remark on the presentation of the second enclosure of the Eritrean letter. The so-called confessions of the alleged accused were presented originally to the Security Council in Arabic; the language used was a

slang Sudanese Arabic. For those who know it, it is quite clear that the original text lacks coherence and logic in many of its parts. However, the English version does not reflect the ambiguity and incoherence that characterized those so-called "confessions".

The Government of the Sudan believes that the Eritrean letter does not merit any attention from the Council.

I request that the present letter and its annex be circulated as a document of the Council.

(Signed) Elfatih M. ERWA
Permanent Representative

Annex

[Original: Arabic]

Letter dated 27 August 1997 from the Minister for External Relations of the Sudan in response to the letter of the Minister for Foreign Affairs of Eritrea circulated in document S/1997/517

1. I feel obliged to respond to the letter dated 4 July 1997 from the Minister for Foreign Affairs of Eritrea addressed to the President of the Security Council, concerning a so-called Sudanese conspiracy to assassinate the President of the Eritrean regime, and to its enclosures (S/1997/517, annex).

2. The aforesaid letter came as no surprise to the Government of the Sudan because the Eritrean regime has made a practice of precipitating crises with the Sudan and has constantly shown contempt for world public opinion by transmitting to the Security Council allegations that lack the necessary logic and offend against the rationality that would recommend them to the Council's consideration, given that the regime in question is in the best position to know that these allegations are groundless and are unsupported by any evidence.

3. The Eritrean regime that, by means of the letter from its Minister for Foreign Affairs, seeks to delude the international community into believing that there has been a Sudanese conspiracy to assassinate its President is the same regime that has persisted in threatening the security, peace and stability of the entire region. A regime that speaks of compliance with international norms has itself violated a whole series of international conventions and covenants, and first and foremost the Charter of the United Nations and the Charter of the Organization of African Unity. This is evident from the many practices in which this regime has persisted in engaging.

4. We remind the international community of the Eritrean regime's collusion with terrorists and of the fact that it provided protection and a safe haven for terrorists who seized two Sudanese civil aircraft and saw fit to regard them as participants in a just struggle rather than terrorists. Such actions are in flagrant violation of article 7 of the 1970 Hague Convention for the Suppression of Unlawful Seizure of Aircraft and article 7 of the 1971 Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation. They are also incompatible with the Declaration on Measures to Eliminate International Terrorism adopted by the United Nations General Assembly on 9 December 1994 and annexed to its resolution 49/60, in which States are urged not to grant political asylum to terrorists, and with the 1963 Tokyo Convention. As if this were not enough, the authorities of the Eritrean regime even detained some of the civilian passengers on the hijacked Sudanese aircraft. We should also like to remind the international community of the unprecedented step taken by the Eritrean regime when, in violation of the provisions of the Vienna Convention on Diplomatic Relations, it handed over the Sudanese embassy building in Asmara, which is the property of the Government of the Sudan, to the so-called Sudanese armed opposition.

5. The Government of the Sudan informed the Security Council of many of these recurrent violations at the time they occurred, as set forth hereunder.

(a) The Eritrean regime has sponsored meetings of factions of the Sudanese opposition and the rebel movement in the southern Sudan, and its President has convened and presided in person over such meetings. These groups have the objective of overthrowing the legitimate Government of the Sudan, and the legitimacy of the armed action being taken by Sudanese terrorist factions against the Sudanese people has been proclaimed from Asmara. Details of these incidents were given in the letters from the Government of the Sudan addressed to the Security Council that were circulated in documents S/1995/522 and S/1995/569.

(b) The Eritrean regime has established camps to train groups of Sudanese terrorists in Eritrea and has allowed the leaders of these groups to make use of the various information media. It has been acknowledged that these forces have carried out military operations inside Sudanese territory from bases in Eritrean territory. We have also consistently reported that the President of the Eritrean regime has admitted before witnesses that, in the context of his commitment to support the Sudanese terrorists, "the sky's the limit". Such conduct is unprecedented and violates all the regional and international agreements that govern relations between States and, in particular, Article 2, paragraph 4, of the Charter of the United Nations. These incidents were communicated to the Security Council at the time they occurred in a letter circulated as an annex to document S/1996/358.

(c) The Eritrean regime has not contented itself with fostering groups of Sudanese saboteurs and terrorists and with providing them with military, media and logistic facilities, but its forces have also invaded border areas of the Sudan's Eastern Region and have attacked Kassala, Abu Gamal, Hamdayit, Gardah Awwad, Tugah, Hamashkoreb, Madississah and Aruma. Those forces have laid anti-personnel landmines targeted at civilians, and dozens of innocent people have been killed by them. Details of the above incidents were communicated to the Security Council in the letters that were circulated in documents S/1996/1007 and S/1997/11.

(d) In its enmity against the Sudan, the Eritrean regime has gone so far as to shoot down a Sudanese helicopter flying along the border inside Sudanese territory with a SAM-7 anti-aircraft missile fired from inside Eritrean territory, killing its crew. We communicated the details of this incident to the Security Council at the time it happened in a letter that was circulated as document S/1997/2.

(e) The Eritrean regime launched a further act of aggression against the Sudan when it used tanks, armoured vehicles, artillery of various calibres, rocket launchers and anti-aircraft weapons with the objective of occupying the Sudanese town of Toker and cutting the main road between Port Sudan and Khartoum. We communicated the details of this act of aggression to the Security Council in a letter that was circulated in document S/1997/271.

(f) The Eritrean regime reached new heights in its scorn and contempt for public opinion at the international and regional levels when the world

information media reported that its President, at a seminar held in Asmara, had admitted that his forces were fighting alongside those of the Sudanese rebels, that the elimination of the Sudanese Government was a major goal of his Government and that his forces had suffered losses in their war against the Sudanese army. These rash statements led ultimately to the arrest by the Eritrean regime of Ruth Simon, a correspondent for Agence France-Presse, who had given the world a true picture of this regime in reporting the proceedings of the seminar. The Sudan communicated the details of this incident to the Security Council in a letter that was circulated in document S/1997/342.

(g) The Eritrean regime has continued its aggression against the Sudan by maintaining the concentration of its military forces and supporting vehicles along the Sudanese-Eritrean borders. This prompted us to refer the matter to the Security Council by a letter that was circulated in document S/1997/395.

6. The incompetence of the Eritrean regime is clearly apparent, in particular, in its inept attempts to refute the documented facts that the Sudan has made it a practice to communicate to the Council. It has thus not even denied its attacks or the unlimited support that it provides to the terrorists and saboteurs that it sponsors. All this regime has done is to cite popular Sudanese proverbs and employ cryptic formulations and unintelligible expressions that it then presents to the Council in a clear attempt at deception. It does this instead of addressing the substance of the charges made against it in a serious and responsible manner, and it has continued to inundate the Council with vacuous documents and to waste the valuable time of its members.

7. As we remind the international community of the repeated consecutive violations of the Eritrean regime and its practices which contradict the simplest rule of international principles, we do not intend to avoid addressing the content of the letter of the Eritrean Foreign Minister about the so-called plot against the Eritrean President. We try to show the international community that there is a steady consistency between the Eritrean aggression on the Sudan and the letters addressed to the Security Council by the Eritrean regime. The successive alleged complaints against the Sudan in the Security Council is intentionally synchronized with the plans of military activities in the Sudanese Eritrean borders. The leadership of the Eritrean regime is used to timing its alleged complaint before its military aggression inside the Sudanese territory in order to justify its military operations. This is the exact situation now on the Sudanese Eritrean borders, where Eritrea is mobilizing and gathering its troops. The Eritrean regime continues to threaten the Sudan with more military operations targeting Sudanese cities and roads.

8. In the letter of the Eritrean Foreign Minister, the Eritrean regime wanted to delude the international community through attempting to convince it of a Sudanese conspiracy targeting its President. An intelligent reader cannot avoid noticing that the same circulated document is not a disgrace to the Sudan, as Eritrea claims, but a certificate of condemnation to the Eritrean regime itself. The letter of the Eritrean Foreign Minister publicly confesses to the Security Council that the accused has infiltrated into Eritrea to join the Sudanese opposition, the so-called Democratic National Alliance which uses Eritrea as a base. This is stipulated in paragraph 3 of that letter. The Eritrean regime forgot that this is a complete acknowledgement of the shelter it provides to the

armed elements that target the peace and security of the Sudan. It is a confirmation of the information the Sudan has continued to provide the Council with since 1994. This avowal presented to the Security Council by Eritrea itself constitutes a valid proof of the flagrant violations this regime has committed to all the principles of the United Nations Charter. This matter merits a condemnation of the Eritrean regime from the regional and international communities.

9. The so-called (Captain) the named Naser Eldin Abubakr Aba ElKhairet, whom Eritrea had alleged that the Sudan has sent to assassinate its President, is a citizen who has no relationship with the organs and institutions of the Government of the Sudan. He neither occupies any official post nor holds any military rank since his dismissal from the Sudanese Armed Forces as a Corporal in February 1992 for his ill behaviour.

10. To present the available information of the so-called accused, I would like to cite some information from his personal file while he was in service and the reasons for his dismissal:

(a) During the basic training period for the Sudanese soldiers, the aforementioned, after having been admitted to the service in 1986, attacked a restaurant with some of his colleagues. After eating, they tied up the restaurant owner and assaulted him. The whole group was subjected to a military investigation and administrative punishment;

(b) While he was in Um-dafoog with the Border Forces in Western Sudan, he was accused of being bribed by smugglers of Arabic-gum. He also stole sugar from some merchants. He was therefore subjected to a court martial;

(c) He robbed a grocery in Nyala in Western Sudan. He was convicted and imprisoned for six months and subsequently dismissed from the service for ill behaviour.

11. After his dismissal from the services for the above-mentioned reasons, he committed a number of crimes and offences. He has a large criminal file in the Sudanese Police Organs, which can be summarized as follows:

(a) The so-called Aba El Khirat was captured with some of his colleagues and fellow drinkers and drug addicts, after being struck on the head by an axe in a gambling party in the town of Rehaid El Berdy in Western Sudan;

(b) He was accused of dealing with armed robbery gangs in the Western borders of the Sudan, due to his suspected movements and to the existence of large sums of money, the source of which was not identified;

(c) Many police reports were filed against him by a number of merchants, to the effect that he cheated them and obtain sums of money under the pretext of bringing them goods from the border region, and he failed to fulfil that;

(d) The records of the Sudan Police in Zalengi, Nirtiti, Rehaid El Berdy, Um-dafoog in Western Sudan contains a number of official complaints against him, totalling twelve;

(e) He embezzled sums of money from his father's Mill where he worked for some time, which led to a disagreement between him and his father.

12. It is worth mentioning that the named Aba AlKhairet was seen by a psychiatrist during his imprisonment. We present a brief account of the doctor's report:

(a) The criminal history of the accused stems from his being brought up in a broken home. It is evident that he used drugs during his childhood and led gangs of disorder and havoc. It is found that he was dismissed from the primary school because he quarrelled with one of the teachers;

(b) Crime is widespread in his family, whereby his brother Ibrahim Abakar, was arrested because he was accused of murdering his wife, while his younger brother was tried in a theft crime and his oldest brother was tried in a crime of fraud, after having impersonated a Captain in the Customs Police. This affirms the instability in his up-bringing and explains his criminal tendencies;

(c) From the analysis of his personality, Aba ElKhairet likes fame. He claims heroic fantasies and suffers from a publicity complex. He stated he would not mind appearing in the media "even if this led to his death".

13. The second annex of the letter of the Eritrean Foreign Minister clearly shows that the text of the alleged confessions, which contains the names of all Sudanese Officials from the President of the Republic to the most junior officer and soldier of the Sudanese army is an Eritrean creation and fabrication. It also reflects the inability of the Eritrean regime even in fabricating accusations and planning conspiracies. This indicates unprofessionalism and lack of experience, in addition to ignorance of the basics of intelligence work.

14. We cite below some remarks about the contents of the second annex of the Eritrean Foreign Minister:

(a) The so-called confessions stipulates that Aba ElKhairet stated that he left the service as a Sergeant Major. The official records in his file shows that he was dismissed as a Corporal;

(b) He mentioned that he was trained with some terrorists from a number of countries and that he graduated on 1 January 1992 after having left the service in 1991. This means, according to the Eritrean story, that he was trained during his military service and this contradicts what the accused himself has said in the same document, about being trained after joining the Sudanese Public Security after his dismissal;

(c) The aforementioned also stated that he had left the military service in 1991 for family reasons. The official documents prove that he was dismissed in February 1992 for ill behaviour;

(d) The above-mentioned stated that he was born in 1965. However his official file shows that he was born in Zalangi in 1968;

(e) The aforementioned stated in his alleged confessions that he joined the Sudanese Armed Forces in 1982. But his official file shows that he joined the service on 13 February 1986.

15. The dismissed Corporal Naser El Din Aba AlKhairet is a person who escaped outside Sudan to the Eritrean territories and joined the so-called armed Sudanese Alliance Forces based there. These Forces used to recruit former Sudanese soldiers and officers who were dismissed from the military service. The letter of the Eritrean Foreign Minister stated shamelessly that the so-called accused was unveiled by the Democratic National Alliance and not the Eritrean Security Organs, and here I quote:

> "... Captain AlKhairet's cover was exposed by the National Democratic Alliance on 20 April ...". End quote.

The Foreign Minister's letter about the so-called Captain stated that, and I quote:

> "... The assassination was planned to be carried out by Captain AlKhairet himself by way of infiltration into the Sudanese opposition coalition, the National Democratic Alliance to Eritrea on 14 November 1996 ...". End quote.

16. While we highlight these contradictions as examples only, we aim at clarifying that the Eritrean regime and the agents of the Sudanese opposition, in their fabrication of this naive drama, did not exert any effort to cite correct information about the person they have chosen for their conspiracy against the Government of the Sudan. But their sick imagination wove a plan and a story in which they used a single person with limited thinking, the highest education he ever had was part of the primary school, from which he was dismissed for ill behaviour and for creating disorder and havoc. This is clearly indicated in the statement of former Brigadier Abdel Azziz Khalid, leader of the so-called Alliance Forces, in an answer to a question by the London-based Arabic Newspaper "AlHayat" about the fate of Aba AlKhairet. He stated that Aba AlKhairet was, in the end, a Sudanese citizen and he would not be subjected to any trial and would continue to be with the Alliance Forces.

17. The Eritrean regime reached unimaginable heights in its sarcasm of the international community. It reached an extent unacceptable by reasonable logic through trying to convince that this same simple, uneducated person could be appointed as an officer with a rank of Captain in the Sudanese Security Organs. According to the Eritrean story, he is the same person who enjoys unlimited powers and authorizations within all the state institutions of the Sudan. The Eritrean regime went on to allege that this person as mentioned in his so called confessions is all of the following things:

First: He is entrusted with serious security missions that threaten the peace and security of all the neighbouring countries of the Sudan and other states without any exception;

Second: He is the only "Captain" out of thousands of Sudanese Captains who has access to and meet with all the Sudanese senior officials on a continuous basis, including the President of the Republic;

Third: He is well acquainted with the secrets of the Sudanese Government and the different security organs on all levels, starting from the Heads of those organs to the most junior soldiers in them;

Fourth: He is well informed and read about the dangerous terrorist missions undertaken by an experienced international terrorist, who is facing international justice today, namely, the terrorist Carlos. The international community is well aware of the circumstances surrounding his arrest in Khartoum by the Security Organs and his extradition to France to face justice there;

Fifth: He participates in all security investigations conducted by the Government of the Sudan with the alleged political detainees. He also has access to all the files of the investigations conducted by the Sudanese security organs.

18. The Eritrean regime did not stop at vilifying the ability of the Government of the Sudan, but extended its mockery to the international community by trying to undermine its intelligence. The Eritrean regime wants to convince everybody that the Government of the Sudan hired a person who did not complete his primary education, who has no knowledge of Eritrea as he himself has stated in the alleged confessions in order to assign him for this dangerous mission. I quote from page 24 (English version)

> "... In accordance with instructions, I was given another mission which was to go to Eritrea. I was a bit perturbed about that because I did not know anything about Eritrea ...". End quote.

In addition to that, the same person, according to the Eritrean story, was trained for three months only, that the Government of the Sudan wants to destabilize Eritrea and assassinate its President by spending only US$ 1,000 and 7 million Sudanese pounds (equivalent to 4,000 US dollars) and through infiltrating the Sudanese armed opposition harboured by Eritrea in its territories!!!! Can any ordinary person believe such a childish story, let alone the distinguished members of the Security Council!!!!

19. The Eritrean regime could fabricate whatever it wants. It can cite whomever it wants from the groups of armed opposition it shelters. It could attempt to delude the regional and international public opinion through boring repetitions of what it calls the Sudanese policies and terrorism. But it will not succeed in convincing the international community, neither of its keenness in the regional security and stability nor of its respect for good neighbourliness and the non-intervention in the internal affairs of other States. In the eyes of those who have clear sight, this regime has become a threat to the peace and security of the whole region. This very fact is proved by the realities and issues presented to the esteemed Council by other States in the region. However there are issues which were not presented to the Council by some other States such as armed aggressions; attacks of internationally recognized borders; chasing, kidnapping and assassinating Eritrean opponents in

the neighbouring countries. These issues were not brought to the attention of the Council due to special considerations related to those States.

20. The Sudan, with its traditions, heritage and firm position known to all Members of the Council concerning terrorism, will continue to be faithful to its commitment to all the international principles, conventions and norms. It will continue to abide by the policies of good neighbourliness, the principles of peaceful co-existence, the respect for the choices of others and the respect of others for its choices. If the Eritrean regime tried this time to produce a theatrical play about a conspiracy plotted by the Sudan to assassinate its Leader, the Leader of that regime, who took refuge in the Sudan for three decades, knows very well before anybody else, that Sudan's traditions and principles prevent it from doing such a thing.

21. The Sudan has continued to shelter thousands of Eritrean refugees whom the Eritrean regime has refused the voluntary repatriation to their own country. The UNHCR is witness to this and knows very well the refusal of that regime of any agreement or commitment to repatriate the refugees. On the contrary, the Eritrean regime has showed another unprecedented action, by the expulsion of the representatives of the UNHCR from Asmara and their subjugation to humiliation. The expulsion of international officials has become a pattern in the policies of the Eritrean regime.

22. The accusations of the Eritrean regime of the involvement of the Sudan in the alleged assassination conspiracy of its President reflects undoubtedly the persistence of that regime to poison the regional atmosphere; and to divert the attention of the Sudan to unnecessary fights; and to mobilize the friendly African countries against it. In addition it leads to wasting the valuable time of the Members of the Council and to squandering the United Nations limited resources. These accusations were completely rejected by the Government of the Sudan at the time. The Sudan re-affirmed that the alleged accused has no relation to its organs and institutions.

23. The Sudan while refuting, once more in letter and spirit, the contents of the Eritrean letter to the Security Council, calls upon the Council to compel the Eritrean regime to be bound by the civilized international behaviour and to abide by the international principles which govern the relations between countries particularly in this region of the world which has suffered for a long time from conflicts and wars.

Ali Osman Mohamed TAHA
Minister of External Relations

Annexes:

1. Statement circulated by the delegation of the Sudan during the OAU Summit, Yaoundi, Cameroon 1996.

2. Statement circulated by the delegation of the Sudan during the OAU Summit, Harare, Zimbabwe 1997.

Enclosure I

[Original: English]

Statement of the delegation of the Sudan at Yaounde, 10 July 1996

In the typical diversionary style of the Eritrean People's Liberation Front (EPLF) Government, and in yet another unfortunate attempt to pollute the healthy African atmosphere currently prevailing in Yaounde, indeed in continuation of its shameful and well-remembered insults to the African leaders and the OAU during previous summits, the Eritrean delegation "discretely" circulated a statement in the name of its leader to the participants of the Summit, in which ridiculous accusations were levelled against the Sudan and its people.

It was the thinking of the Sudan that the Eritrean leadership would come to its senses following the condemnation by all Africa of its persistent moves in the past to distract OAU meetings from their real objectives. It was the hope harboured by many in our beloved continent that, through time, maturity in the actions and deeds of the Eritrean Government might prevail, and that such irresponsible practice that characterized the behaviour of that Government would cease to exist. Unfortunately, the statement circulated by Eritrea proved, in no uncertain terms, that the Eritrean Government is determined to stain the white page on which Africa wrote its new chapter of living in harmony and solidarity towards the attainment of its desired objectives.

In this statement, the EPLF delegation dared to talk about what it termed as Sudanese acts of destabilization. The EPLF Government's record in this regard is undoubtedly known to all. Its practices at home and abroad made Eritrea a big prison of its citizens and engulfed it in continuous war with itself and its neighbours in the immediate region and beyond. With its adventurist policies, Eritrea is today a major threat to regional and continental peace and stability. Its announced and well-known policies and subversive activities against the Sudan, with the "sky is the limit" in its support for Sudanese opposition and rebel elements, in the very words of the EPLF leader to the British Broadcasting Corporation (BBC); its policy of expansion against neighbouring Djibouti; its destructive involvement in Somalia; its "new map" which threatens the region with serious consequences; its occupation of Hanish Island of Yemen; and its Red Sea adventures are all examples that speak for themselves. Eritrea is once more urged to come to its senses. The cold-war-like practices should be over; Africa cannot afford to be embroiled again in such practices, which would undoubtedly undermine its efforts towards peace and socio-economic development.

It is a surprise, indeed amusing, that the Eritrean statement contained sinister accusations pertaining to the issue of human rights in the Sudan. The EPLF Government would like to divert attention away from its refusal to accept the voluntary return of its refugees and the selective repatriation of those loyal to the EPLF and its resistance to signing a tripartite agreement requested by the Sudan, comprising the Sudan, Eritrea and the Office of the United Nations High Commissioner for Refugees, to facilitate the return of nearly a million Eritrean refugees in the Sudan whose basic human rights to return home are

denied by their Government. This policy of selective repatriation is coupled with the policy of ethnic discrimination internally against the Konama, Baza, Blain and Afar tribes in Eritrea. In talking about repression in the Sudan, the Eritrean regime would like Africa, indeed the whole world, to forget the physical liquidation of the following Eritrean leaders assassinated by the EPLF Government, just to mention a few:

- Abraham Twelde
- Haile Girza
- Mohamoud Hasab
- Osman Ageeb.

In his statement before the current OAU Summit, the President of the Sudan expressed the commitment of the Sudan to good neighbourliness and improved relations with all of its neighbours. The Sudanese statement was clear in supporting the current revitalized Intergovernmental Authority on Development (IGAD) in its attempts to solve inter- and intra-state conflicts through dialogue. The Eritrean statement shows clearly the lack of seriousness and absence of political will of Eritrea towards the whole of the IGAD efforts. It is to be recalled in that connection that, in a gesture of good will, the Sudan fully supported the Eritrean candidate for the post of Executive Secretary of IGAD.

Rather than being a tool of destruction and destabilization in the region, the EPLF Government should understand that desisting from such practices is in its interest and in the interest of the whole region.

Enclosure II

[Original: English]

Statement of the delegation of the Sudan at Harare, 4 June 1997

In a typically cowardly behaviour that characterized his attitude vis-à-vis the Organization of African Unity and its members, the Eritrean leader chose once more to escape from this African gathering, opting instead to "discreetly" circulate a statement attacking one of the founding members of the Organization, namely, the Sudan. The annual habit of vomiting and levelling insults against a neighbouring country certainly unveils the distorted mind of the Eritrean leadership and its insistence on polluting the healthy atmosphere characterizing this session. At a time when a clear message was sent out from this conference on the need for a new spirit and attitude in order to tackle the continent's profound challenges and priorities, the Eritrean leadership chose for itself to be repeatedly out of context. Perhaps the only justification is that, by attacking others, the Eritrean leadership can hide its heinous, outrageous, unpopular and criminal practices at home and abroad.

That Eritrea is now a serious destabilizing element to the region, and indeed to the whole continent, is well known to Africa at large. Its declared and announced intention of invading the Sudan, its providing sanctuary to groups of bandits and killers bent on destruction and violence, its continuous violation of Sudanese territories, its regional ambitions and records of destabilization against some Red Sea countries, its flagrant violation of the principles of the OAU Charter on inter-state relations, and its repeated attempts to spoil the revitalized IGAD spirit are all examples of the sick mentality of the Eritrean leadership, which is undoubtedly a threat to continental peace and security.

Certainly, the internal situation in Eritrea speaks for itself. With an isolated minority government in place and more than 20 thousand political prisoners, the reign of terror in Eritrea has become a real source of concern to the whole people of the subregion. The waste of resources of a newly born nation on actions geared towards spreading hatred and chaos is a source of regret as well. That is also coupled with the shameful attitudes of the Eritrean leadership with regard to their own refugees abroad who are denied the right of repatriation by their own government. The phenomenon of selective repatriation has become the monopoly of this leadership as a negative contribution. Lately, the Eritrean leadership expelled the UNHCR representative, an act that seriously reflects the real intentions of the Eritrean leadership as far as its refugees outside are concerned. The Eritrean policy of targeting and massacring its own refugees in neighbouring countries is a sad reality. The list of the victims and those massacred upon the instructions of the Eritrean leadership is growing longer every day.

The history of the so-called EPLF also speaks for itself. It is an autocratic organization chaired by a dictator. EPLF committed countless murders against some of its leading figures, among them, Ibrahim A'fa, the military commander who was assassinated in a plot instigated by the Eritrean leader

himself. EPLF is a one-man organization. Its leader does not give any sort of respect to anybody, including the founding members. The recent sacking of the Foreign Minister, as well as the Commissioner for Refugees and his deputy, are only some manifestations.

The Sudan really sympathizes with the neighbouring Eritrean people in their ordeal. For Africa, it is time to confront the dangers posed to the continent's stability and security by the Eritrean regime. The Sudan is certainly capable of defending itself against an insane regime. Perhaps the Eritrean statement is yet another opportunity for the continent to draw its own conclusions.